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and Spine Solutions, Inc.*

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO**

**CALVIN TIMBERLAKE and
KAREN TIMBERLAKE,**

Plaintiffs,

vs.

SYNTHES SPINE COMPANY, L.P.

Defendant

) CASE NO. CV 08 80067MISC VRW

)
)
) CASE NO. 6-08-CV-0004 (S.D.
) Tex.)

) ~~PROPOSED~~ ORDER
) GRANTING CONSENT
) MOTION TO STAY
) PROCEEDINGS

ORDER

Before the Court is Plaintiffs Calvin Timberlake and Karen Timberlake and
Defendants Synthes Spine Company, L.P. and Spine Solutions, Inc.'s (hereinafter

1 collectively “the Parties”) Consent Motion for Stay of These Proceedings
2 pursuant to the Parties’ Stipulation of Agreement Regarding Plaintiffs’ Subpoena
3 for Records. Considering the Motion, the evidence, argument of counsel if any,
4 and all papers on file, the Court finds the Motion should be GRANTED.

5 It is ORDERED that (1) no hearings will be scheduled nor will the Parties
6 proceed in this Court with respect to Plaintiffs’ Subpoena for Records or
7 Defendants’ Motions to Quash prior to a ruling on Defendants’ Motions for
8 Protective Order by the Southern District of Texas in the matter of *Calvin*
9 *Timberlake and Karen Timberlake v. Synthes Spine Company, L.P., et al*,
10 U.S.D.C. Southern District of Texas, Victoria Divisions, 6-08-CV-4; (2)
11 Defendants Synthes and Spine Solutions in no way waive their right to pursue
12 their Motions to Quash and objections properly filed in the courts where the
13 subpoenas are pending; and (3) Plaintiffs will withdraw any non-party subpoenas
14 issued, but not yet served and the effected non-parties will not be required to
15 respond or object to Plaintiffs’ subpoenas during the specified time period in
16 which this issue is stayed.

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18 SIGNED this 25th day of April, 2008.

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22 JUDGE OF THE US DISTRICT COURT
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